

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
KATHLEEN O'HARA,

Docket No: 18-cv-08502 (KMK)

Plaintiff,

-against-

**NOTICE OF MOTION**

BOARD OF COOPERATIVE EDUCATIONAL  
SERVICES, SOUTHERN WESTCHESTER;  
HAROLD COLES, JAMES GRATTO, DAVID  
PULLEY, LISA SCHUCHMAN, and JOHN  
KNIGHT, in their official and individual capacities,

Defendants.  
-----X

**PLEASE TAKE NOTICE**, that upon the accompanying Declaration of Karen C. Rudnicki sworn to on the 28th day of June 2019 and the accompanying Memorandum of Law in Support, the defendants, by and through their attorneys, SILVERMAN & ASSOCIATES, will move this Honorable Court on a date and time to be determined, for an Order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing the plaintiff's Second Amended Complaint with prejudice for failure to state a claim and, alternatively, if any of the plaintiff's causes of action are not dismissed, granting a period of thirty days following entry of the Court's Order in which to file an Answer to the plaintiff's Amended Complaint, and for such other and further relief as this Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE**, that pursuant to the scheduling order of the Court, the plaintiff's opposition, if any, is to be served by August 2, 2019. The defendants' reply papers are to be served by August 16, 2019.

Dated: White Plains, New York  
June 28, 2019

Respectfully submitted,

**SILVERMAN & ASSOCIATES**



By: \_\_\_\_\_

Caroline B. Lineen  
Karen C. Rudnicki  
Attorneys for Defendants  
445 Hamilton Avenue, Suite 1102  
White Plains, New York 10601  
(914) 574-4510

To: Sean O'Hara  
Leeds Brown Law, P.C.  
Attorneys for Plaintiff  
One Old Country Road, Suite 347  
Carle Place, New York 11514  
(516) 873-9550